UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.538
4 January 2000

ENGLISH
Original: FRENCH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-first session

SUMMARY RECORD OF THE 538th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 20 May 1999, at 3 p.m.

Chairperson: Mrs. MBOI

CONTENTS

CONSIDERATION OF REPORTS BY STATES PARTIES (continued)

Initial report of Saint Kitts and Nevis (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.99-42087 (E)

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS BY STATES PARTIES (agenda item 4) (continued)

Initial report of Saint Kitts and Nevis (CRC/C/3/Add.51; CRC/C/Q/SKN/1) (list of issues); written replies by the Government of Saint Kitts and Nevis to questions contained in the list of issues (document without a symbol, distributed in the meeting room in English only)

1. At the invitation of the Chairperson, the members of the delegation of Saint Kitts and Nevis resumed places at the Committee table.

2. The CHAIRPERSON invited the members of the Committee who so wished to ask the delegation of Saint Kitts and Nevis further questions regarding family environment and alternative care.

3. Ms. OUEDRAOGO asked whether there were parent education classes in Saint Kitts and Nevis. Was an adopted child entitled to learn the identity of his or her biological parents, and was Saint Kitts and Nevis planning to ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption in the near future? She requested information on cases of sexual abuse, incest and domestic violence and on family reunification. She would also like to know whether the Government had prepared a comprehensive programme to combat child abuse and whether measures were being planned to ensure recovery of maintenance from delinquent fathers. Lastly, she requested details on the number of children (by sex) in remand centres and on the length of their stay in the centres.

4. Mrs. SARDENBERG asked whether there was a genuine awareness of the problem of child abuse among the general public and whether the Government was taking measures to change society's attitude to it. She would also like to know the actual situation with regard to intercountry adoption, which apparently took place only on an informal basis. Lastly, she would like further details on family arrangements and visiting rights when a child's parents did not live together.

5. Ms. LIBURD (Saint Kitts and Nevis) said that the Adoption Act set forth the rules governing adoption in Saint Kitts and Nevis. In the previous four years there had been four requests for international adoption, but none had actually taken place as yet. Authorization was given for adoption after an inquiry into the situation of the child and the adoptive parents. However, as no rules governing international adoption yet existed, the Government encouraged placement in foster care. There were more boys than girls in foster care, but that was not an indication of discrimination.

6. Regarding children born out of wedlock, she said that a declaration of paternity could be issued under the Status of Children Act on the application of the mother, father or a person with a "proper intention"; the declaration provided a measure of legal recognition to children born out of wedlock and gave them protection equal to that of legitimate children. Several forms of family life existed in the eastern Caribbean: regular marriage, common-law union, cohabitation

and the most frequent form of union, where the partners lived separately and saw each other regularly. In the latter case, the parent who did not live with the child enjoyed visiting rights. That practice was widespread and an integral part of the island's culture. Parent education classes were organized to help families meet their responsibilities towards their children. The Probation and Child Welfare Board Act provided for the submission of complaints to the judicial authorities in cases of ill-treatment of children. In such cases children were removed from their families and placed with foster families. Psychological treatment was also provided for the children and parents concerned. Measures had been taken to prevent child abuse, but it was too early as yet to evaluate the results. She noted that lone mothers received special financial assistance from the State.

7. The CHAIRPERSON invited the Committee to consider basic health and welfare and education, leisure and cultural activities.

8. Ms. KARP, noting that Saint Kitts and Nevis had not concluded bilateral agreements for recovering maintenance from fathers who left the country, asked what steps were being taken to do so. She also requested clarifications on how child abuse cases were treated. Were there special procedures, such as hearings in camera, to protect children?

9. Turning to education, she asked whether a study had been conducted to evaluate the quality of the school curricula. She would also like to know whether information was easily available to children, in particular whether there was a sufficient number of school libraries.

10. Mr. RABAH, reverting to adoption, asked for details on the reasons why the courts and adoption services did not act in unison, as indicated in the Government's written replies.

11. Ms. OUEDRAOGO asked whether there was a legal age for alcohol consumption and whether there were programmes to combat consumption of alcohol and drugs by young people. Regarding education, she would like to know whether the delegation could provide statistics on the school enrolment and school drop-out rates in the country and whether there were legislative provisions to enforce the principle of compulsory school attendance. She also asked what was done to involve children and parents in school life.

12. Mr. FULCI, referring to the statement in paragraph 31 of the report that there was increasing public awareness of the need to protect children from abuse, asked what measures were taken to combat child prostitution and pornography involving children and to aid the victims. In particular, had the State party adopted a comprehensive plan of action in accordance with the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children?

13. Ms. MOKHUANE asked for further details on the functioning of the health system where children were concerned. She wondered whether progress had been achieved in establishing a children's ward at the JNF Hospital, mentioned in paragraph 35 of the report, and whether sexual and mental health services were available in the schools. She would also like to know what measures were taken to encourage breastfeeding and to combat consumption of tobacco among young people.

14. The CHAIRPERSON suggested that the delegation should be allowed a few minutes to prepare its replies.

The meeting was suspended at 3.55 p.m. and resumed at 4 p.m.

15. Mr. CONDOR (Saint Kitts and Nevis), replying to the question on recovery of maintenance, said that, before leaving the country, any person under an obligation to provide maintenance had to sign a legal document indicating the name of a guarantor remaining in the country. Should maintenance not be paid, the guarantor would be legally responsible.

16. With regard to education, he said that each school had not only a library, but a computer laboratory. School meals were free, as were textbooks. Uniforms were distributed free of charge to families undergoing economic hardship. The Government also paid the school registration fees of students who took examinations abroad. Consequently, everything possible was done to ensure that every child was able to study. Nevertheless, if for any reason parents did not meet their obligations in that regard, they were liable to prosecution.

17. The legal age for alcohol consumption was the majority age, or 18. That being the case, numerous programmes in the schools aimed at raising children's awareness of the dangers of alcohol, drugs and tobacco. Regarding child abuse, the existing prevention programmes and advisory services appeared to be sufficient, and parents generally took part in treatment programmes.

18. Ms. LIBURD (Saint Kitts and Nevis) said that sexual exploitation of children and street children were fortunately still unknown in Saint Kitts and Nevis.

19. With regard to health, there was a compulsory sex and family education course in all primary and secondary schools. Health services for teenagers were not attached to the schools, but family education professionals were able to refer the children to the appropriate structures. Paediatric care was free of charge and breastfeeding was encouraged throughout the country.

20. Concerning participation in school life, she said that children would be consulted as part of a debate soon to be held on corporal punishment. Parents were involved in school life through parents' associations. She agreed that there was a need to improve an adoption system that was essentially based on private arrangements, which could be problematical from a legislative point of view.

21. The CHAIRPERSON invited the Committee to raise questions concerning special protection measures.

22. Ms. EL GUINDI asked whether measures were being taken to deal with the problem of early pregnancies, in particular whether young mothers could continue their studies.

23. Ms. KARP asked whether a study had been undertaken to determine the root causes of violence in the schools, which could also point up the link between corporal punishment and the

violent behaviour of pupils towards other pupils. She would also like to know whether caning was used in the juvenile justice system, as either a penalty or disciplinary measure, whether minors were separated from adult detainees and what happened to the criminal record of minors when they reached majority age. Lastly, she would like to know whether the statement that sexual exploitation of children was unknown in Saint Kitts and Nevis was based on a specific survey or simply a general impression.

24. Mr. RABAH associated himself with Ms. Karp's questions about the juvenile justice system. He requested statistics on the number of juvenile offenders and their most frequent offences and would also like to know whether they had access to legal aid.

25. Mr. DOEK asked whether minors could be held in police custody and, if so, what the authorized duration of police custody was, and whether minors were able to consult freely with a lawyer. What penalties could be imposed on juvenile offenders? If compensation or a fine was ordered, was it for the minors or their parents to pay? Lastly, what social reintegration measures were available to minors?

26. Mrs. TIGERSTADT-TAHTELA, noting the low economic growth rate in Saint Kitts and Nevis, asked about the quality of the health and education services and whether there were social services for children in the country.

27. Ms. OUEDRAOGO asked whether the population, which was essentially of African origin, had kept certain traditional practices adversely affecting children.

28. Ms. MOKHUANE asked for further details on the activities offered to children who did not attend school and on pre-school facilities.

29. Mr. CONDOR (Saint Kitts and Nevis) replied that the health care and education systems in his country had been established in the mid-1960s and were as sound as those of neighbouring countries. In fact Saint Kitts and Nevis was one of the countries of the region with the highest literacy rates and education was free of charge up to the higher education level. All children were entitled to free health care and vaccination coverage was 100 per cent in accordance with WHO requirements. On another matter, although the people had kept certain cultural traditions and activities of African origin, such activities were not harmful to children. The programmes to combat drug addiction had achieved satisfactory results and the campaign against violence in the schools continued. Leading political figures had recently travelled throughout the country to express their determination to eliminate such violence, in particular through improvement of teacher training and more balanced class composition.

30. Juvenile offenders, like adults, could be held in police custody for 48 hours, during which they had free access to a lawyer. They were tried by a children's court and were entitled to legal aid. Convicted minors under 18 were placed in a rehabilitation centre, which currently housed 13 boys who had been convicted of minor offences such as theft or battery.

31. Mr. DOEK asked whether that meant that minors could not be imprisoned.

32. Mr. CONDOR (Saint Kitts and Nevis) replied that there were three special cells reserved for minors in the prison, but that it was extremely rare for minors to be imprisoned. A boy convicted of murder had recently been placed in a rehabilitation centre and there were no plans to transfer him to the prison, barring very bad behaviour in the centre. In any event, minors could not be imprisoned for more than three months.

33. Ms. LIBURD (Saint Kitts and Nevis), referring to the health services, said that the hospital had included a paediatrics unit, which had recently been destroyed by a hurricane. Substantial restoration work was necessary, and had already begun. Paediatric services were nevertheless available in all community health centres. Teenagers could re-enter the school system after a pregnancy and young mothers could be looked after by the welfare system if their parents did not help them.

34. Saint Kitts and Nevis was justifiably proud of its pre-school services, as 50 per cent of children under three and 81 per cent of pre-school children attended public or private establishments. Even private establishments received support from the State and from the school canteen subsidy programme. Caning children was occasionally used to punish. Only the principal was empowered to do so and the number of lashes was limited, but the Government was aware that caning was still a problem and was making efforts to eliminate it.

35. Mr. CONDOR (Saint Kitts and Nevis) said that the problem of child prostitution and commercial sexual exploitation of children did not exist in Saint Kitts and Nevis, which was a small country, where everyone knew each other and there were no secrets.

36. Ms. OUEDRAOGO asked what measures were taken to prevent the children in the rehabilitation centre who had committed murder influencing the other young offenders.

37. Mr. FULCI said that child labour was a serious problem in the Caribbean region: what were the extent and forms of child labour in Saint Kitts and Nevis? Surprisingly, there was no mention of that problem in the report. If Saint Kitts and Nevis had not yet ratified ILO Convention No. 138 concerning the Minimum Age of Admission to Employment, he urged the delegation to encourage the Government to do so.

38. Mr. CONDOR (Saint Kitts and Nevis) said that there were fortunately no real child labour problems in Saint Kitts and Nevis. Regrettably, there were no special centres for children convicted of murder, which the country could simply not afford. However, the rehabilitation centre had qualified staff trained to work with teenage boys in such situations.

39. Ms. MOKHUANE welcomed the decline in the number of teenage pregnancies and asked about the attitude of boys towards contraception. She would also like to know whether measures had been taken to encourage breastfeeding and whether teenagers had easy access to health services.

40. Mr. CONDOR (Saint Kitts and Nevis), referring to Ms. Karp's concern at the relatively high level of juvenile delinquency in the country, said that the authorities were aware of the problem and were trying to recreate the conditions which had prevailed 30 or so years earlier, by encouraging adults who worked with children on a daily basis - teachers, school nurses, police officers - to play their proper roles in providing advice and supervision.

41. Ms. LIBURD (Saint Kitts and Nevis) said that the attitude of men towards contraception had changed since the last study on contraception in the mid-1980s, there was growing use of condoms, for example. Generally speaking, family planning services were readily available to teenagers.

42. Programmes had been developed to encourage mothers to breastfeed, but it was difficult to say at what age children were weaned, as each situation was different and some mothers did not return to work until the child was several months old.

43. The CHAIRPERSON said that the meeting would be suspended for a few minutes to enable the delegation to prepare its replies to the additional questions asked by the Committee members.

The meeting was suspended at 5.10 p.m. and resumed at 5.20 p.m.

44. Ms. MOKHUANE noted with appreciation that the Government of Saint Kitts and Nevis had adopted a series of legal reforms, in particular amendments to the Probation and Welfare Child Board Act. However, the national legislation failed to give effect to a number of the Convention's provisions, omissions which she urged the authorities to correct. Noting that children were considered to be adults after the age of 16, she asked what protection was provided for young people older than 16. She would also like to know the degree of participation by young people in decisions affecting them, whether there were plans to strengthen the monitoring of radio and television programmes to spare children's sensibilities and what measures had been taken to eradicate corporal punishment.

45. Concerning the family, she said that the authorities would be well advised to undertake a study of the impact on children's emotional balance of visits by fathers who did not live with the family and asked whether the police were empowered to intervene in cases of violation of children's rights. She suggested that the Government should consider requesting assistance from UNICEF for the collection and analysis of statistical data. Lastly, although school attendance levels at both primary and secondary level were satisfactory, there appeared to be some concern about educational quality and the competent authorities might wish to look into the question.

46. Ms. KARP recommended that the authorities should consider adopting a comprehensive approach to the protection and implementation of children's rights, which might take the form of a national plan of action for evaluating the results achieved and problems encountered.

47. Mr. CONDOR (Saint Kitts and Nevis) thanked the Committee for its favourable response to his country's presentation and expressed gratitude to UNICEF for its invaluable support, both moral and financial. His Government had encountered technical difficulties in preparing the initial report, which explained the report's brevity and late submission. However, the authorities were determined to rapidly advance the cause of children's rights in the country and would make every effort to put all of the Convention's provisions into practice, taking due account of the Committee's comments and recommendations.

48. The CHAIRPERSON welcomed the beginning of a fruitful dialogue between the Committee and the delegation of Saint Kitts and Nevis and asked the delegation to transmit the Committee's recommendations to the authorities, members of Parliament and society at large. She looked forward to a further meeting when the Committee considered the country's second periodic report.

The meeting rose at 5.40 p.m.